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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,271	11/09/2001	James P. Freyensee	5181-96500	2600

7590 04/19/2007  
Lawrence J. Merkel  
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EXAMINER
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PHAN, THAI Q

ART UNIT	PAPER NUMBER
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2128

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/008,271	FREYENSEE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thai Phan	2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

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### DETAILED ACTION

This Office Action is in response to applicants' amendment filed 01/27/2007. Claims 1-39 are pending in the Action.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Duda et al, US patent no. 6,628,287.

As per claim 1, Duda anticipates a method and system for simulating and supporting a hot plug or hot pull process to support a secure distributed simulation with feature limitations very similar to the claimed invention. According to Duda, the secure distributed simulation system includes components and steps:

Configuring a first node, the node configured to participate in a simulation of a system under test, the configured node is to simulate a system component under test (col. 4, lines 34-55, col. 6, lines 7-12),

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Configuring a second network node to transmit a pull command designating to the first node (col. 4, lines 19-29), and

Responsive to the hot pull command, the first node stops the participation in the simulation to simulate a removal of the component from the system under test (col. 9, line 19 to col. 10, line 24).

As per claims 2-3, Duda anticipates a simulation network including a plurality of network nodes or simulation nodes, each node configured to participate in the simulation of the system under test or to stop the participation of the simulation (col. 4, lines 19-28, lines 35-55, col. 7, line 48 to col. 8, line 35).

As per claim 4, Duda anticipates network station or processor for participating the simulation, freeing simulation resources (col. 7, lines 33-47, col. 8, lines 60-62), halting the plug or pull simulation, etc (col. 9, lines 32-51).

As per claim 5, Duda anticipates a network server with terminal stations connected to (hub) (col. 4) for secure distributed simulation.

As per claim 6, Duda anticipates the hub configured to couple to plurality of network node above (cols. 4-5)

As per claims 7-10, Duda anticipates a network station interconnected to the simulation network to control the simulation participation and plug in node to simulate, terminate, and/or participate the pull or plug process (col. 5, lines 31-40, col. 6, lines 6-12).

As per claim 11, Duda anticipates s a method and system for simulating and supporting a hot plug or hot pull process to support a secure distributed simulation with feature limitations very similar to the claimed invention.

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According to Duda, the secure distributed simulation system includes components and steps:

Configuring a first node upon, the node configured to participate in a simulation of a system under test for participation command, the configured node is to simulate a system component under test (col. 4, lines 34-55, col. 6, lines 7-12),

Configuring a second network node to transmit a pull command designating to the first node (col. 4, lines 19-29), and

Responsive to the hot pull command, the first node stops the participation in the simulation to simulate a removal of the component from the system under test (col. 9, line 19 to col. 10, line 24).

As per claim 12, Duda anticipates step: delaying, stopping, or ceasing the simulation participation (col. 7, line 48 to col. 8, line 35, col. 13, lines 3-15).

As per claim 13, Duda anticipates network station or processor for participating the simulation, freeing simulation resources (col. 7, lines 33-47, col. 8, lines 60-62), halting the plug or pull simulation, etc (col. 9, lines 32-51).

As per claims 14-19, Duda anticipates a network server with terminal stations connected to (hub) (col. 4) for secure distributed simulation. The hub is configured to couple to plurality of network nodes above for secure distributed simulation of the system under test (cols. 4-5)

As per claim 20, Duda anticipates s a computerized method and system with computer readable medium (computerized control program) for simulating and supporting a hot plug or hot pull process to support a secure distributed

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simulation with feature limitations very similar to the claimed invention.

According to Duda, the secure distributed simulation program means includes components and steps:

Configuring a first node, the node configured to participate in a simulation of a system under test upon receiving a participation command, the configured node is to simulate a system component under test (col. 4, lines 34-55, col. 6, lines 7-12),

Configuring a second network node to transmit a pull command designating to the first node (col. 4, lines 19-29), and

Responsive to the hot pull command, the first node stops the participation in the simulation to simulate a removal of the component from the system under test (col. 9, line 19 to col. 10, line 24).

As per claim 21, Duda anticipates instructions to instruct plug-in or pull command in the simulation network (col. 7, lines 25-27).

As per claims 22-23, Duda anticipates command to cease or halt the operation (col. 9, lines 32-51).

As per claim 24, Duda anticipates a network server with terminal stations connected to (hub) (col. 4) for secure distributed simulation.

As per claims 25 and 26, Duda anticipates the hub configured to couple to plurality of network node above (cols. 4-5). Duda also anticipates a network station interconnected to the simulation network to control the simulation participation and plug in node to simulate, terminate, network resources, and/or participate the pull or plug process (col. 5, lines 31-40, col. 6, lines 6-12).

Claims 27-39 are directed to a computer program product and system to execute the program product for performing steps in the rejected claims above, namely, control the plug-in network station or insertion of the network station into the secure distributed simulation system. Claims 27-39 are thus rejected under the same rationales as set forth.

### ***Response to Arguments***

Applicant's arguments with respect to amended claims 1-39 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  1. US patent no. 7,185,077, issued to O'Toole et al, on Feb. 2007
  2. US patent application publication no. 2002/0138242, issued to Wilensky et al, on Sept. 2002
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Phan whose telephone number is 571-272-3783.
3. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on 571-272-2279. The fax

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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Apr. 14, 2007

*Thaiphon*  
THAI PHAN  
PRIMARY EXAMINER  
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